

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

KATHERINE L. HALL,

Plaintiff,

v.

BOSTON SCIENTIFIC CORP.,

Defendant.

ORDER

15-cv-338-bbc

Two motions are ready for review in this personal injury case scheduled for trial on October 13, 2015. First, plaintiff has asked whether the trial will be bifurcated. Dkt. #102 This court's general practice is to bifurcate the liability and damages phases of a trial unless the parties reach an agreement to the contrary. Although plaintiff says that "neither party has requested bifurcation," defendant's proposed jury instructions and special verdict form are structured for a bifurcated trial. Accordingly, plaintiff's motion for clarification is GRANTED as follows: at this point, I will assume that the trial will be bifurcated unless the parties file a stipulation for a nonbifurcated trial.

Second, plaintiff has filed a motion to allow her treating physician to testify through a video transmission. Dkt. #93. However, plaintiff does not explain why she failed to include this request with her previous motion to allow several other witnesses to testify the same way. In any event, plaintiff states in her reply brief that the physician lives in

Wisconsin and will not object to a trial subpoena. Because plaintiff does not need permission from the court to request a trial subpoena from the clerk of court, plaintiff's motion to allow her physician to testify remotely is DENIED as moot.

Entered this 22d day of September, 2015.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge